

**REMARKS**

Claims 1, 2, 5 through 8 and 11 through 28 remain pending in this application. Claims 6 through 8 and 11 through 28 stand withdrawn as directed to non-elected species. In response to the non-final Office Action, dated June 17, 2005, claim 1 has been amended, a new title has been provided, and claims 3, 4, 9 and 10 have been cancelled. Care has been taken to avoid the introduction of new matter. A petition for one month extension of the period for response, with appropriate fee charge authorization, is filed herewith. Favorable reconsideration of the application in light of the following comments is respectfully solicited.

Claims 1, 2, 5 and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 6,154,574 (Paik). The rejection is set forth at pages 3 and 4 of the Office Action.

Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paik in view of U.S. patent 6,356,304 (Kawaguchi). Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Paik in view of U.S. patent 6,445,415 (Olsson).

In response to the above identified rejections, claim 1 has been amended and claims 3, 4, 9 and 10 have been cancelled. The claim cancellations render the rejections made under 35 U.S.C. § 103 moot. At issue only is the status of claims 1, 2 and 5. Independent claim 1 has been amended to require, *inter alia*, the following:

a degradation function calculating section for calculating a degradation function on the basis of a focal length, an in-focus lens position and an aperture value of an optical system; and  
a degradation-function storage unit for storing the degradation function calculated by the degradation function calculating section; wherein  
degradation function stored in the degradation-function storage unit is applied to obtained image data.

It is submitted that the subject matter recited above is not disclosed in Paik and that claims 1, 2 and 5, thus are not anticipated. Withdrawal of the rejection is respectfully solicited.

In Paik reference, image degradation is modeled, assuming that the image degradation in the fluxes entering each of the light sensing element is caused by the spread of the luminous fluxes which is in Gaussian Distribution, and a restoration function is applied to the image to analyze the image thus obtained.

In contrast, as required by claim 1, a degradation function on the basis of a focal length, an in-focus lens position and an aperture value of an optical system picking up an image is calculated, stored, and applied to obtained image data, thereby restoring the image. This insures high accuracy by using a degradation function intrinsic to an optical system of each image pick-up apparatus. Moreover, the use of a degradation function with high accuracy results in a reduction in processing time for restoration. In Paik, a value for each image-pickup optical system is not used, resulting in low accuracy and an increase in processing time for restoration.

The Kawaguchi reference only describes edge enhancement of an image on the basis of an aperture value, and is not directed to image restoration. Olsson, also, lacks disclosure of the above reproduced claim features, having been relied upon in the Office Action for teaching that an image is created electronically from a sensor in the camera and is based on a multi photo technique. It is submitted, therefore, that claims 1, 2 and 5 are patentably distinguishable under 35 U.S.C. § 103.

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees

**Application No.: 09/757,654**

due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

A handwritten signature in black ink, appearing to read "Gene Z. Robinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

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